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MAR 21 1986

David C. Long, Esquire
Executive Building
P.O. Box 427
300 Fourth Street
Elyria, Ohio 44036

RE: Chemical Recovery Systems -
Recent Analytical Results for Elyria, Ohio Site.

Dear Mr. Long:

I spoke to you several weeks ago regarding access to the Chemical Recovery Systems (CRS) site by the U.S. EPA so our contractor could obtain additional samples from the Black River adjacent to the site. This letter is to set forth the United States Environmental Protection Agency's position on closing out the consent decree entered in Civil Action No. C80-1858, a subject we also discussed in our conversation.

Your client, CRS, was required by the consent decree to take several sets of water samples, to determine the effectiveness of the soil and material removal performed by CRS under the decree. As you know, PCB and other hazardous substances had been stored, treated and/or disposed of at the facility, including spilling of material onto the ground.

At least two sets of sample results obtained by CRS show that PCB is still present in the the river adjacent to the site. The levels of PCB reported are low but still might be of concern from a health or environmental standpoint. Since the stated purpose of the decree was to abate the release of hazardous substances from the facility, and since PCBs have been detected as possibly emanating from the site, we wanted to perform some limited additional sampling and analysis to determine the source and concentration of the PCBs in the river. We intend to review the results of those analyses, which should be available in approximately five weeks, before acting to close out the decree. We were surprised to learn that the storm sewer outfall in approximately the center of the site has been plugged or removed, and would like to know when this was done.

I believe it is not unreasonable that the Agency take the time to ensure that no hazards, or releases of hazardous substances at levels of concern, continue to exist before closing out the decree.

This action, taken out of concern for potential impacts on human health and the environment, should not result in hardship to your client. I am sorry that this confirmatory work was not performed sooner, but resources in the federal Superfund program did not allow that.

We will be happy to provide you with a copy of the results when they are available, and if no further problems appear we will act to close out the decree.

We would like to request some further information from CRS, however. At one point, one set of results showing PCB levels in the part per million range, a very high level for water samples, was provided to us. We were subsequently told that the correct units should have been parts per billion. Our technical staff has requested that CRS furnish to us any sampling log and chain of custody documents, and the laboratory notes and Gas Chromatograph outputs or printouts related to the analysis of those samples. I would appreciate your requesting that copies of these documents be forwarded to me from CRS by March 21, 1986, so we can satisfy ourselves that the levels were indeed in the part per billion range.

I look forward to discussing a closeout of this action with you if the results warrant.

Very truly yours,

Jonathan T. McPhee
Assistant Regional Counsel

cc: Erin Moran
Kathleen Ann Sutula, Esquire